



## **AGENDA**

### **Regular Meeting**

### **City Council**

**Tuesday, April 26, 2011**

**6:00 P.M., City Hall**

**4000 Galleria Parkway**

**Bee Cave, Texas 78738-3104**

THE CITY OF BEE CAVE COUNCIL MEETINGS ARE AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT KAYLYNN HOLLOWAY AT 767-6641 AT LEAST 48 HOURS IN ADVANCE OF THE MEETING. THANK YOU.

1. Call meeting to order
2. Roll Call
3. Pledge of Allegiance

4. Citizen Comments

This is an opportunity for citizens to address the City Council concerning an issue of community interest that is not on the agenda. Comments on the agenda items must be made when the agenda item comes before the Council. The Mayor may place a time limit on all comments. Any deliberation of the issue is limited to a proposal to place it on the agenda for a later meeting.

5. Consent Agenda.

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda. Information concerning consent agenda items is available for public view.

- A. Consider approval of minutes of the Regular meeting conducted on April 12, 2011.
- B. Discuss and consider action on the monthly financial and investment report.
- C. Proclamation recognizing May 2011 as Older Americans Month in the City of Bee Cave.

6. Public hearing, discussion and possible action on Ordinance No. 82, an ordinance amending Chapter 32 (Zoning), Section 32.02.004 "Changes and amendments to zoning ordinances and districts, and administrative procedures" to provide for public hearing and notice requirements that conform to state law for text amendments to the zoning ordinances and for amendments to zoning districts and boundaries.
7. Public hearing, discussion and possible action on the following:
  - a. Ordinance No. 83, an ordinance amending Chapter 32 (Zoning), Section 32.04.001 "Use Regulations" to provide for a new use of "Adult Novelty Stores" and amending Section 32.05.014 "Definitions" to define "Adult Novelty Stores and other Similar Businesses".
  - b. Ordinance No. 84, an ordinance amending Chapter 32 (Zoning), Section 32.03.012 "C-Commercial District" to include adult novelty stores as a possible conditional or permitted use, include a screening requirement, and adjust setback requirements.
  - c. Ordinance No. 85, an ordinance amending Chapter 32 (Zoning), Section 32.04.004 "Sexually Oriented Business" to provide for additional definition of "Major Business" and "Primary Business Purpose".
8. Discuss and consider action on a sign variance for Just Four Paws.
9. Discuss and consider action to approve ranking of Architectural/Engineering firms and to authorize city staff to negotiate a contract with the highest ranked firm but if a contract cannot be negotiated, the city will continue negotiations with each subsequently ranked firm until a successful contract is negotiated.
10. Discuss and consider action to seek request for proposals for auditing firms.
11. Discuss and consider action on adopting a policy for designation of fund balance in accordance with the Government Standards Accounting Board (GASB).
12. Discuss and consider action to provide \$15,000 to the Coalition of Central Texas Utilities Development Corporation.
13. Close Regular Meeting.
14. Open Executive Session. Executive session in accordance with the Texas Government Code, Section 551-072 – Deliberation regarding Real Property; and Section 551.071 - Consultation with Attorney in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law. The Council may adjourn into the Conference Room for the executive session.

A. LCRA Rate Case litigation

- B. Consultation with attorney regarding litigation filed against City and Reit Management & Research Trust by Rod-Ave, L.P.
- C. Consultation with attorney regarding litigation relating to the TCEQ's Executive Director's petition that recommends that land within the jurisdiction of the City be included in a ground water district within the Hill Country Priority Groundwater Management Area.
- D. Consultation with City Attorney regarding acquisition of LCRA water/wastewater systems.
- E. Consultation with City Attorney regarding authority of city to enforce building, sign and development ordinances and possible litigation with business desiring to open adult novelty store.

15. Close Executive Session.

16. Open Regular Meeting.

17. Consider action, if any, on Executive Session.

18. Adjournment.

**The Council may go into closed session at any time when permitted by Chapters 418 or 551, Texas Government Code, or Section 321.3022 of the Texas Tax Code. Before going into closed session a quorum of the Council must be assembled in the meeting room, the meeting must be convened as an open meeting pursuant to proper notice, and the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code, or Section 321.3022 of the Texas Tax Code authorizing the closed session.**

I certify that the above notice of meeting was posted at Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas, on the \_\_\_\_ day of April, 2011 at \_\_\_\_ P.M.

(Seal)

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Kaylynn Holloway, City Secretary